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U.S. ATTORNEY
DIST. OF MINN.

August 20, 1981

Mr. Francis X. Hermann
Assistant United States Attorney
U.S. Department of Justice
234 U.S. Courthouse
Minneapolis, MN 55401

RE: Ciz. File 3-80-512

Dear Mr. Hermann:

I am in receipt of your letter dated August 13, 1981 addressed to Mr. Allen Hinderacker with reference to the Reilly Tar and Chemical Corporation litigation. We also are concerned about the issues addressed in your letter; however, we are more concerned about the apparent lack of information that your office has available regarding these issues.

With reference to the use of the contaminated wells for temporary service, on June 18, 1981 the Minnesota Department of Health sent the City a four-page document encouraging the development of a formal contingency plan to handle water supply shortages and general supply emergencies. A copy of that letter from the Department of Health is enclosed for your files.

At the July 23, 1981 meeting of the Working Committee, the minutes reflect that the request by the Health Department has been complied with, and that the Department of Health will be requesting the same of other municipalities.

With reference to the monitoring wells, at the January 7, 1981 meeting of the Working Committee, Mr. Ferguson identified six wells which had been damaged apparently from the fill stockpiled as a result of the construction of Louisiana Avenue. The same minutes reflect that Mr. Dick Koppy, Director of Public Works for St. Louis Park, requested a map identifying the location of the wells and the City would repair those wells damaged during construction. Mr. Mark Hult was to contact the City directly to discuss this matter. As of this date, the City has not received this information identifying the locations. I should also point out that some of the construction debris now deposited on the site was not dumped there by the City,

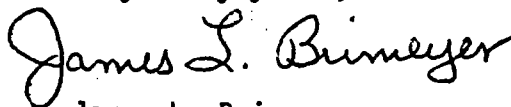
Francis X. Hermann
Re: Reilly Tar and Chemical
August 20, 1981
Page 2

nor with the City's authorization. The City has therefore fenced the area to prevent this illegal dumping. We are making an effort to beautify the area by placing a thin layer of topsoil over the site and intend to seed the entire parcel.

With respect to the sale of the property on which well No. 1 is located, on March 27, 1981 we were notified by Mr. Mark Hult of the U.S.G.S. office that they no longer required the use of well No. 1 located at W. 36th Street and Brunswick Avenue. They further advised us they had acquired the use of a 1,000 foot deep well in the D.A. Building on Wooddale and W. 36th Street and would use this in the future rather than depend on well No. 1. Given that information, the City began preparing plans to abandon the well so that it would not contribute further to the contamination. At the July 23, 1981 meeting of the Working Committee, the City advised the group that we were proposing to abandon the well and sell the property to an adjacent business. However, because the company was concerned about the status of abandoning the well, the City asked the Health Department for guidance on this matter. Subsequent to the meeting of the working committee, the Health Department advised the City it would prefer to wait for another six-month period in order to be absolutely certain that the well would not be needed for future monitoring purposes. The City has complied with that request and has discontinued negotiations with the adjacent business.

I trust the above information will be helpful to you. I would encourage you and the other members of your staff to stay informed on the activities of the Working Committee. I'm sure the current and accurate information will prove useful.

Very truly yours,



James L. Brimeyer
City Manager

JLB:s
cc: Allen Hinderacker
Richard Koppy
Encl.